

scribed under paragraph (2)(B) after consultation with the State of Alaska and the affected local communities and air carriers.

(B) Any changes in the determinations of the Postal Service under subparagraph (A) shall be made—

(i) after consultation with the State of Alaska and the affected local communities and air carriers; and

(ii) after giving 12 months public notice before any such change takes effect.

(Pub. L. 91-375, Aug. 12, 1970, 84 Stat. 772; Pub. L. 98-443, §9(g)(4), Oct. 4, 1984, 98 Stat. 1707; Pub. L. 100-238, title I, §137, Jan. 8, 1988, 101 Stat. 1767; Pub. L. 103-272, §4(g)(2), July 5, 1994, 108 Stat. 1364; Pub. L. 103-429, §5, Oct. 31, 1994, 108 Stat. 4378; Pub. L. 104-52, title VI, §631(a), Nov. 19, 1995, 109 Stat. 505.)

#### AMENDMENTS

1995—Subsec. (f). Pub. L. 104-52, §631(a)(1), substituted “The” for “During the period beginning January 1, 1985, and ending January 1, 1999, the”.

Subsec. (g)(1)(D). Pub. L. 104-52, §631(a)(2), amended subpar. (D) generally. Prior to amendment, subpar. (D) read as follows: “have provided scheduled service within the State of Alaska for at least 12 months before being selected as a carrier of non-priority bypass mail.”

1994—Subsec. (a). Pub. L. 103-272, §4(g)(2)(A), substituted “section 40101(a) of title 49” for “section 1302 of title 49”.

Subsec. (b). Pub. L. 103-272, §4(g)(2)(B), substituted “sections 40109(a) and (c)-(h) and 42112 of title 49” for “sections 1371(k) and 1386(b) of title 49”, “part A of subtitle VII of title 49” for “sections 1301-1542 of title 49”, and “chapters 411 and 413 of title 49” for “sections 1371-1386 of title 49”.

Subsec. (d). Pub. L. 103-272, §4(g)(2)(C), inserted “determine rates and” after “Service may” and struck out “and overseas” after “in interstate”.

Subsec. (e). Pub. L. 103-272, §4(g)(2)(D), struck out “overseas air transportation,” before “and ‘foreign’”, and substituted “section 40102(a) of title 49” for “section 101 of the Federal Aviation Act of 1958 (49 U.S.C. 1301)”.

Subsec. (g)(1)(A). Pub. L. 103-429 substituted “section 41102(a) of title 49” for “section 401 of the Federal Aviation Act of 1958 (49 U.S.C. 1371)”.

1988—Subsec. (f). Pub. L. 100-238, §137(1), substituted “January 1, 1999” for “January 1, 1989”.

Subsec. (g). Pub. L. 100-238, §137(2), added subsec. (g).

1984—Subsec. (a). Pub. L. 98-443, §9(g)(4)(A)-(C), substituted “Secretary of Transportation” for “Civil Aeronautics Board” wherever appearing, substituted “between any of the points in foreign air transportation” for “between any of the points”, and struck out “10 percent of the domestic mail transported under any such contract or” before “5 percent”.

Subsec. (b). Pub. L. 98-443, §9(g)(4)(A), (D), substituted “Secretary of Transportation” for “Civil Aeronautics Board” wherever appearing and “required between points in foreign air transportation” for “required between points”.

Subsec. (c). Pub. L. 98-443, §9(g)(4)(A), (E), substituted “Secretary of Transportation” for “Civil Aeronautics Board” and “pairs of points in foreign air transportation is not adequate” for “pairs of points is not adequate”.

Subsecs. (d) to (f). Pub. L. 98-443, §9(g)(4)(F), added subsecs. (d) to (f).

#### EFFECTIVE DATE OF 1995 AMENDMENT

Section 631(b) of Pub. L. 104-52 provided that:

“(1) Subject to paragraph (2), the amendment made by subsection (a) [amending this section] shall be effective on and after August 1, 1995.

“(2) Subparagraph (D) of section 5402(g)(1) title 39, United States Code (as in effect before the amendment made under subsection (a)), shall apply to a carrier, if such carrier—

“(A) has an application pending before the Department of Transportation for approval under section 41102 or 41110(e) of title 39, [probably should be “49,”] United States Code, before August 1, 1995; and

“(B) would meet the requirements of such subparagraph if such application were approved and such certificate were purchased.”

#### EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98-443 effective Jan. 1, 1985, see section 9(v) of Pub. L. 98-443, set out as a note under section 5314 of Title 5, Government Organization and Employees.

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 5401 of this title; title 49 sections 41901, 41902.

### § 5403. Fines

The Postal Service may impose or remit fines on carriers transporting mail by air on routes extending beyond the borders of the United States for—

(1) unreasonable or unnecessary delay to mail; and

(2) other delinquencies in the transportation of the mail.

(Pub. L. 91-375, Aug. 12, 1970, 84 Stat. 773.)

### CHAPTER 56—TRANSPORTATION OF MAIL BY VESSEL

Sec.	
5601.	Sea post service.
5602.	Termination of contracts for foreign transportation.
5603.	Transportation of mail by vessel as freight or express.
5604.	Fines on ocean carriers.
5605.	Contracts for transportation of mail by vessel.

#### CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in section 5005 of this title.

### § 5601. Sea post service

The Postal Service may maintain sea post service on ocean vessels conveying mail to and from the United States.

(Pub. L. 91-375, Aug. 12, 1970, 84 Stat. 773.)

#### EFFECTIVE DATE

Chapter effective July 1, 1971, pursuant to Resolution No. 71-9 of the Board of Governors. See section 15(a) of Pub. L. 91-375, set out as a note preceding section 101 of this title.

### § 5602. Termination of contracts for foreign transportation

Contracts for the transportation of mail by vessel between the United States and a foreign port shall be made subject to cancellation by the Postal Service or the Congress.

(Pub. L. 91-375, Aug. 12, 1970, 84 Stat. 773.)

### § 5603. Transportation of mail by vessel as freight or express

The Postal Service may require that mail be transported by freight or express when—

(1) there is no competition on a water route and the rate or compensation asked is excessive; or

(2) no proposal is received.

A common carrier by water that fails or refuses to transport the mail when required to do so under this section shall be fined not more than \$500 for each day of refusal.

(Pub. L. 91-375, Aug. 12, 1970, 84 Stat. 773.)

**§ 5604. Fines on ocean carriers**

The Postal Service may impose or remit fines on carriers transporting mail by vessel on routes extending beyond the borders of the United States for—

(1) unreasonable or unnecessary delay to the mails; and

(2) other delinquencies in the transportation of mail.

(Pub. L. 91-375, Aug. 12, 1970, 84 Stat. 773.)

**§ 5605. Contracts for transportation of mail by vessel**

The Postal Service may contract for the transportation of mail by vessel without advertising for bids for periods of not in excess of 4 years.

(Pub. L. 91-375, Aug. 12, 1970, 84 Stat. 773.)